

**PLANNING COMMISSION
MINUTES OF REGULAR MEETING
July 7, 2021**

Due to the Covid-19 pandemic, this meeting was held in person and virtually. Questions and comments from the public were received through typed submission in chat format.

The meeting was called to order at 7:30 p.m. by Chairman Dennis Martin.

Mr. Martin offered condolences on the passing of Township Engineer Ted Gacomis.

PRESENT: Dennis Martin, Richard Jordan, Charles Kalemjian, Sam Matthews, Nancy Kane, Tim Bucher and Greg Allen

ABSENT: none

ALSO PRESENT: Township Manager Scott Greenly; Building & Zoning Official Tara Giordano; and Township Engineer Dan Daley.

MINUTES: Mr. Kalemjian made a motion to approve the minutes of May 5, 2021 Mrs. Kane seconded, and the motion was carried.

Hankin Group – Eagleview Town Center II – Preliminary Land Development Plan Discussion for Recommendation of Approval –

Mr. Fisher gave an update on the plans for the Eagleview Town Center II project. As discussed at the last meeting, the placement of crosswalks was a concern. The Hankin Group met with Township staff on site to review the proposed locations of the crosswalks, the first being the pedestrian crossing with an overhead flashing light that will be activated when a pedestrian pushes a button. This will be located at the intersection of Pennsylvania Dr and Rice Blvd. A future traffic signal will be installed when warranted. In addition, a second crosswalk will be included at the apartment entrance where the trail to the Town Center is proposed at lot 17. This will include a pedestrian crosswalk with painted lines and act as a traffic calming measure on Pennsylvania Dr.

The second item addressed was the addition of pickleball courts, as required by the Conditional Use decision, which are to be constructed on Wharton Blvd by the existing tot lot. The addition of a pathway to allow access from the parking lot to the new courts has been added proposed on the plan.

Mr. Fisher addressed the waivers that the Hankin Group is seeking.

- Addressing Township Ordinance 402.1 A stating that “The plan shall be drawn on a scale equal to or larger than one-inch equals 50 feet”. Mr. Fischer explained that the scale used on the project was 1 inch to equal 80 feet, the reason being the scale of the project and the ability to show the plan in its entirety on a single page

- Addressing the concern that proposed paving section does not match Section 602.1.a of the Township SALDO. Mr. Fisher explained that this private road will be owned and maintained by Hankin and will be paved to the standards that Hankin currently uses. Mr. Daley agreed that as a private road that will be owned and maintained by Hankin, he has no objections to the proposed paving.
- Addressing stormwater pipes, the review letter in Section 25.B.12 states that a number of storm pipes are designed to be 15” diameter, please revise to an 18” diameter. It was noted that biased on the intended use 15-inch pipes should be sufficient. The Township engineer had no objection.
- Mr. Fisher requested a waiver to amend the plan as submitted from Preliminary Plan to a Preliminary/Final Plan pursuant to Section 304.1.d of the Township SALDO

It was noted that the EAC has not yet submitted a final review letter but will do so before the matter is addressed in the Board of Supervisors meeting.

Questions and concerns were addressed. There were no comments from the public at this time.

Mr. Jordan made a Motion to recommend approval of the waivers requested by the Hankin Group as well as approval of the Preliminary/Final Land Development Plan for Eagleview Town Center II contingent on compliance with all Township Consultant review letters; E.B. Walsh letter dated June 30, 2021, McMahon letter dated June 30, 2021, Hydraterra letter dated June 28, 2021, Stubbe Consulting letter dated June 10, 2021, Fire Marshal Memo dated April 29, 2021, Township Police Memo dated April 26, 2021, and including the EAC letter to be submitted. Mr. Kalemjian seconded. Mr. Martin asked for public comment. There being none, the motion was carried unanimously.

Consideration of Amending Ordinances Pertaining to Keeping of Chickens – Discussion –

Ms. Sotak, member of the EAC, presented her request for the Township to consider amending the current ordinance pertaining to keeping of chickens. Currently Uwchlan Township requires a 4-acre minimum for back yard chickens. Ms. Sotak introduced Ms. Baile to assist in the presentation. Ms. Baile has successfully helped in updating many chicken ordinances in New Jersey.

Ms. Sotak explained that the request was formally submitted on March 1st and she is asking the Township to introduce a 2-year pilot program. The program would allow for 25 residents on a first come first serve basis to test back yard chickens in Uwchlan Township. Ms. Sotak is proposing no lot size restrictions with a 50ft set back from any neighboring doors or windows with a suggested 6 hens per single residence.

The proposal also includes the introduction of a volunteer-based Chicken Advisory Board to monitor and investigate any complaints. It is also asked that the interested residence attend a chicken education and certification program offered by Ms. Baile at the cost of \$10 per resident.

Ms. Sotak addressed the benefits and proper care for back yard chickens as pets as well in addition to the common concerns raised by Uwchlan Township Residents.

Concerns raised by the Planning Commission include:

- Consideration of the setbacks from property lines and neighbors
- Consent of neighbors/ concerns if those neighbors move
 It was noted that you do not need neighbor consent for any other projects in the Township
- The definition of a chicken as a pet as well as other farm animals
- Concerns over having a Chicken Advisory Board, how the Authority will work, who will oversee the advisory board and enforce the chicken ordinance
- Prohibiting the Sale of Eggs
- How to deal with neighbor disputes
- Invasion of predators and rats due to chickens
- Rosters will not be permitted
- Permission of surrounding neighbors

Concerns raised by the Public include:

Tom Christian addressed concerns of public perception vs. reality. He was interested in data regarding complaints of back yard chickens and other pets. He also stated that given this last year chickens may be beneficial and give something to care for and be outdoors, specifically referring to his teenage son.

Erin Froger spoke to her experience with back yard chickens in Valley Township. Her family was able to have three chickens and considered them pets. Ms. Froger explained that caring for backyard chickens is in fact a lot of work and does not think that there will be an abundance of coups in Uwchlan Township.

Lori Mileto raised her concern about the number of chickens permitted per acre suggesting that 6 per acre seemed fair with the number permitted decreasing by lot size.

Tonia Adleta explained that her Mother has backyard chickens and they are treated as pets. She also expressed that the pilot program seemed like a good idea and supports the residents desire to have chickens.

Rebecca Brunner spoke to her experience with chickens and questioned how permits would work in this scenario.

Ms. Giordano explained that she has been researching chicken ordinances for years and has gathered information from all local Municipalities, Chester County and PSATS regarding proposed ordinances and regulations. Once the draft ordinance is finalized, it will be shared with the Commission as well as Ms. Sotak for further discussion at an upcoming meeting.

ANNOUNCEMENTS: All meetings are again held at the Township building but can also be accessed via “zoom” platform

1. 7/12 – Board of Supervisors – 7:30pm
2. 7/21 Zoning Hearing Board – 7:00pm

Mr. Kalemjian made a motion to adjourn at 9:19 p.m. Mr. Matthews seconded and the motion was carried.

Respectfully Submitted,
Kate Gillen